### **SALTER P09AUSD3**

Manchester, NH 03101-1151

### COMBINED DECLARATION AND POWER OF ATTORNEY

(Original, Design, National Stage of PCT, Supplemental)

As a below named inventor, I hereby declare that:

		TYPE OF DECLA	RATION
This declaration	n is of th	e following type: (check one app	olicable item below)
	Nationa division continu	mental (see added page) al Stage of PCT nal (see added page)	
		INVENTORSHIP IDEN	ITIFICATION
believe that the	e named i	nventor or inventors listed below	are as stated below next to my/our name. I/We is/are the original and first inventor or inventors atent is sought on the invention entitled:
		TITLE OF INVE	NTION
•		NASAL CANN	<u>ULA</u>
		SPECIFICATION IDEN	NTIFICATION
The specification (a) (b)	on of whi	was amended on was described and claim ed in F	or as Serial No. (not yet known) and (if applicable). PCT International Application No.
(d)		amended on	and as amended under PCT Article 19 on (if any).
(4)		POWER OF ATT	ORNEY
	d transac	ventor, I hereby appoint the follow at all business in the Patent and	wing attorneys and/or agents to prosecute this different that Trademark Office connected therewith. (list
Gary [ Micha	ny G. M. I D. Clapp el J. Bujo A. Daniel	Registration No Registration No	o. 29,055 o. 32,018
	•	rt of this Declaration and Power scept and follow instructions from	of Attorney is the authorization of the above- n my representative(s).
Send Correspo	ondence 1	to:	Direct Telephone Calls to: (603) 624-9220
Customer No. Davis & Bujol Fourth Floor 500 N. Comm	d, P. L. L		Direct Telefaxes to: (603) 624-9229

#### **ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I/We hereby state that I/we have reviewed and understand the contents of the above identified specification, including the claim s, as amended by any amendment referred to above.

I/We acknowledge the duty to disclose to the United States Patent Office all information which is known to be material to patentability of this application as defined in § 1.56 of Title 37 of the Code of Federal Regulations.

#### PRIORITY CLAIM

I/We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me/us on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	PRIORITY CLAIME UNDER 37 USC 11		
			□ YES □NO		
			□ YES □NO		
			☐ YES ☐NO		
			□YES □NO		
			□YES □NO		

	I/We	hereby	claim	the	benefit,	under	35	U.S.C.	119(e),	of	any	United	States	provisional
applicat	ion(s)	listed b	elow.											

Application Number(s) 60/045,080	Filing Date (MM/DD/YY) April 29, 1997	□ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
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#### **DECLARATION**

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Jam	ies N. CURTI	
Inventor's signature:	Date: Aug. 2, 2004	
Residence: 3709 Hartf ord Court, Bakersfi	eld, CA 93309	
Post Office Address: Same as above	Country of Citizenship: United States	

Full name of second		lames CHUA	
Inventor's signature:_	fruette		Date: Aug. 2, 2004
Residence: 305 Killde	er Way, Bakersfield,	CA 93309	
Post Office Address:	Same as above	Country of C	Citizenship: United States
Full name of third join	nt inventor: Pet	ter W. SALTER	
Full name of third joir Inventor's signature:		er W. SALTER	Date: Aug. 2, 2004
Inventor's signature:		1A	Date: Aug. 2, 2004

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## ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION, OR CONTINUATION-IN-PART APPLICATION

## CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIO N(S) UNDER 35 U.S.C. § 120

I/We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I/we acknowledge the duty to disclose information that is material to the examination of this application, namely, informative where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

		NS OR PCT INTI .S. FOR BENEF			NS	
U.S. A	PPLICATIONS	STATUS (check one)				
U.S. APPLICATIONS	U.S. FILI	NG DATE	Patented	Pending	Abandoned	
1. 09/837,720	April 18	3, 2001		XXXXX		
2. 09/184,111	Novembe	er 2, 1998	XXXXX			
PCT APPLICATION	G THE U.S.  U.S. SERIAL  NOS.  ASSIGNED					
4. PCT/US98/05573	04/03/1998			xxxxx		
5.						
6.						



# IMPORTANT NOTICE REDUTY OF CANDOR AND GOOD FAITH

The Duty of Disclosure requirements of Section 1.56(a), of Title 27 of the Code of Federal Regulations, are as follows:

A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application, and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Patent Office all information they are aware of which is known to be material to patentability of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

By virtue of this regulation, each inventor executing the Declaration for the filing of a patent application acknowledges his/her duty to disclose information of which he/she is aware and which may be material to the examination of the application.

Inherent in this is the duty to disclose any knowledge or belief that the invention:

- (a) was ever known or used in the United States of America before his/her invention thereof;
- (b) was patented or described in any printed publication in any country before his/her invention thereof or more than one year prior to the actual filing date of the United States patent application;
- (c) was in public use or on sale in the United States more than one (1) year prior to the actual filing date of the United States patent application; or
- (d) has been patented or made the subject of inventor's certificate issued before the actual filing date of the United States patent application in any country foreign to the United States on an application filed by him/her or his/her legal representative(s) or assign(s) more than twelve (12) months before the actual filing date in the United States.

**NOTE**: The "Information" concerned includes, but is not limited to, all published applications and patents, including applicant(s) and assignee(s) own, United States or foreign application(s) and patent(s), as well as any other pertinent prior art known, or which becomes known, to the inventor or his/her representative(s). Where English language equivalents of foreign language documents are known, they should be identified and, when possible, copies supplied. Failure to comply with this requirement may result in a patent issued on the application being held invalid even if the known prior art which is not supplied is material to only one claim of that patent.

If there is any doubt concerning whether or not a citation is "material" to patentability of the application, it is better to err on the side of safety and disclose such art to the United States Patent Office.